

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  ADVANTAGE TELECOMMUNICATIONS CORPORATION	DOCKET NO. FCU-04-5 (FCU-03-16)
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**ORDER CLOSING FORMAL COMPLAINT PROCEEDING**

(Issued August 31, 2004)

On February 4, 2004, the Utilities Board (Board) issued an order docketing this case as a formal complaint, ordering Advantage Telecommunications Corporation (Advantage) to respond to allegations raised in a customer complaint and assigning the case to the undersigned administrative law judge. The Board ordered Advantage's response to include answers to the following: (1) whether there is an alternative explanation to the events described in Ms. Mendenhall's complaint, and (2) what steps can be taken to prevent future similar occurrences, if the allegations are true.

On February 24, 2004, Advantage filed a motion for extension of time to allow it to conduct an investigation of the allegations, which was granted in an order issued February 25, 2004. An order granting an additional extension was issued August 3, 2004.

On August 30, 2004, Mr. Scott Shaffer, attorney for Advantage, filed a letter on behalf of his client. The letter includes procedural and jurisdictional arguments and

Advantage's response to the two questions posed by the Board in its February 4, 2004, order. Although the undersigned makes no ruling with respect to the procedural and jurisdictional arguments, Advantage has provided a sufficient possible alternative explanation to the events described in Ms. Mendenhall's complaint and no longer does business with the telemarketing company whose employee called Ms. Mendenhall. Therefore, Advantage has sufficiently complied with the Board's order, there do not appear to be further remedial steps that need to be taken to prevent future similar occurrences, and this formal complaint proceeding should be closed.

**IT IS THEREFORE ORDERED:**

1. Docket No. FCU-04-5 is hereby closed.
2. A copy of this order will be served on Mr. Scott Shaffer, attorney for Advantage, The Lustigman Firm, P.C., 149 Madison Ave., Suite 805, New York, New York 10016, the Consumer Advocate, and Ms. Mendenhall.

**UTILITIES BOARD**

/s/ Amy L. Christensen  
Amy L. Christensen  
Administrative Law Judge

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

Dated at Des Moines, Iowa, this 31<sup>st</sup> day of August, 2004.